In the High Court for the States of Punjab and Haryana, at Chandigarh.

CM No.4744-CII of 2007 and
FAO No. 979 of 2007 (O&M)
Decided on March 08,2007.

National Insurance Company Limited --- Appellant

vs.

Mahipal and others --- Respondents.

Present: Mr.V.K.Kapur, Advocate, for the appellant.

Pritam Pal,J: (Oral)

Heard.

This appeal by National Insurance Company Limited, is directed against order dated June 26,2006, where by a total compensation of Rs. 1,86,701/- was granted to the respondents, who are parents of deceased Jag Mander (17 years), by the learned Commissioner, under the Workmens' Compensation Act, 1923 (,for short 'the Act')

Under Section 30 of the Act, an appeal is maintainable only if some substantial question of law is shown to have arisen. But without hearing this appeal on its merits, it is pertinent to mention here that this appeal is barred by time as the same has been filed by the Insurance Company after delay of 128 days. The reason mentioned in the application for condonation of delay is that this case was dealt with by the Divisional Manager of the Company, at Rohtak. The file pertaining to this case, after the decision, was received by the Regional Office at

Chandigarh, only in the month of August, 2006, and as such, the delay of 128 days occurred due to the time taken in obtaining the report from various branches of the office and also for seeking the approval of the competent authority for filing the appeal. It is not denied that the Insurance Company has got a large paraphernalia including the Law Officers at its back for filing such appeals against the awards. Even otherwise, the Insurance Company cannot be given any preferential treatment while condoning such a long delay on account of time consumed in completion of formalities by various branches of the Company. This Court does not find any justification for condoning the delay of 128 days in filing this appeal.

Hence, Civil Misc. Application filed for condonation of delay is dismissed and consequently, main appeal bearing FAO No. 979 of 2007, also stands dismissed in limine.

March 08,2007 (Pritam Pal)
RR Judge